

Atty Donaldson, Larry A., sole practitioner (for Mary Sue Lancaster, Administrator)

Petition for Final Distribution

DOD: 1/6/2009		MARY SUE LANCASTER , sister and Administrator, is Petitioner. Accounting is waived. I & A — \$164,886.42 POH — \$164,886.42 (\$6,511.42 is cash) Administrator — not requested Attorney — not requested	NEEDS/PROBLEMS/COMMENTS: 1. <i>Final Inventory and Appraisal</i> filed on 1/29/2014 is incomplete at Item 5 re: property tax certificate, as required by Probate Code § 8800(d). Need statement regarding Property Tax Certificate. (Revenue and Tax Code § 480.) 2. <i>Petition</i> does not contain a statement regarding whether notice has been sent to the Franchise Tax Board as required pursuant to Probate Code 9202(c)(1) for estates in which <i>Letters</i> were issued 7/1/2008 or after, and Court records contain no proof of service of such notice. Need proof of service of notice to the Franchise Tax Board pursuant to Probate Code 9202(c)(1). 3. The instant <i>Petition</i> does not fully comply with Probate Code § 10954 and CA Rules of Court 7.550 and 7.705 for waivers of account in estate matters, including the statements regarding whether notice of hearing is required to entities such as the Department of Health Care Services and the Victims' Compensation and Government Claims Board. Court may require further information regarding whether notices pursuant to Probate Code § 9202 were required for this estate. ~Please see additional page~
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Reviewed by: LEG
Reviewed on: 4/4/14
Updates:
Recommendation:
File 1 – Lancaster

NEEDS/PROBLEMS/COMMENTS, continued:Notes:

- *Petition for Final Distribution* filed 2/28/2014 is signed but is not verified by the Petitioner pursuant to Probate Code § 1021 and CA Rule of Court 7.103. However, *Declaration of Petitioner Mary Sue Lancaster in Support of Petition for Order of Final Distribution* filed 2/28/2014, which contains all and substantially the same assertions as the *Petition for Final Distribution*, is verified.
- *Declaration of Mary Sue Lancaster* attached to the initial *Petition for Probate* filed 6/19/2009 states the only creditors of the Decedent of which she is aware are mortgages on the real property and a Visa credit card with a balance of **\$400.00**. *Verified Declaration of Petitioner Mary Sue Lancaster in Support of Petition for Order of Final Distribution* filed 2/28/2014 states all bill[s] and obligations of the estate have been paid or assumed by [her.]
- *Receipt on Distribution* filed 2/19/2014 states **MARY SUE LANCASTER** received from Administrator Mary Sue Lancaster the entirety of the estate [as specified in the petition] including 100% interest in real property, and that she assumes all mortgage, tax, and other obligations owing on the real property distributed to her.

2A Alex and Lillian G. Lamm Living Trust (Trust)**Case No. 12CEPR00687****Atty Baldwin, Kenneth A. (of McCormick Barstow, for Allene Joyce Lamm O'Neal – Co-Trustee – Petitioner)****Atty Poochigian, Mark (for Duane Lamm – Co-Trustee)**

Petition to Compel Co-Trustee Duane Alan Lamm to File Report and Account After Written Request; to Remove Duane Alan Lamm as a Co-Trustee; to Redress Breaches of the Trust by Duane Alan Lamm; to Divide and Distribute the Trust Estate; and to Terminate the Trust [Prob. C. 15642 & 17200 et seq.]

Alex Lamm DOD: 11-17-90		ALLENE JOYCE LAMM O'NEAL , Co-Trustee, is Petitioner and states:	NEEDS/PROBLEMS/COMMENTS: Page 2B is the 6th Status Re Settlement. As of 4-3-14, nothing further has been filed. Minute Order 9-20-12: Paul O'Rourke [McCormick Barstow] is appearing via conference call. Mr. Poochigian advises the Court that he filed his objections this morning. The Court accepts Mr. O'Rourke's representation that no additional parties need to be provided notice. The Court notes that there is no objection by Mr. Poochigian regarding the issue of notice. At the request of Mr. O'Rourke, the Court orders Mr. Poochigian to prepare a formal accounting for the period commencing from the date of death to the present. The Court orders that the accounting to be completed by 11/19/12. Continued to 11/29/12, Status Conference Set on 11/29/12. Minute Order 11-29-12: Parties request the matter be set for trial. Matter set for Court Trial on 3/29/13 with a one-day estimate. The Court sets a Settlement Conference on 2/25/13. Counsel is directed to submit their settlement conference statements along with a courtesy copy for the Court on the Thursday before the hearing. The Court authorizes Mr. O'Rourke to file his objections. The Court advises counsel that it will accept the objections subject to any filing fees. Set on 2-25-13 at 10:30am for Settlement Conference. Additional hearing date: 3-29-13 at 10am for Court Trial. 1. The proposed order includes a blank for a surcharge amount to be filled in for attorney's fees. The Court may require clarification and further documentation regarding the amount requested.
Lillian Lamm DOD: 11-19-06			
		<ul style="list-style-type: none"> Trustors Alex and Lillian created the Alex and Lillian Lamm Living Trust (the "Trust") on 3-11-88. The Trust was amended and restated on 9-21-90. Alex died on 11-17-90, causing the trust to be divided among the Alex Lamm By-Pass Trust, the Alex Lamm Marital Trust, and the Lillian G. Lamm Survivor's Trust, which remained revocable. The Survivor's Trust was amended twice: on 6-7-04 and 2-17-05. Lillian died on 11-19-06. For purposes of this petition, "Trust" refers to all three trusts collectively. <p>Petitioner states the Trust provides that she and her brother DUANE ALAN LAMM were to become co-trustees on the death of the Trustors; however, since Lillian's death, Duane has asserted exclusive control over most of the assets of the Trust.</p> <p>The Trust as amended provides that the Marital Trust and the By-Pass Trust are to terminate and be distributed to Duane and Allene in equal shares immediately following Lillian's death.</p> <p>The Survivor's Trust as amended provides that the Survivor's Trust is to terminate at Lillian's death and is to be distributed as follows:</p> <ul style="list-style-type: none"> To BLAKE LAMM (Trustors' grandson) a fractional portion (56.64%) of the Survivor Trust's ownership interest (45.56%) in certain real property in Reedley consisting of approx. 76 acres; and To DUANE and ALLENE, the residue of the Survivor's Trust estate, in equal shares, which includes that the share apportioned to ALLENE is to include a certain residence ("Allene's Residence") and that the share apportioned to DUANE is to include the Trustors' residence, without affecting the equality of the shares. <p style="text-align: center;"><u>SEE ADDITIONAL PAGES</u></p>	
Cont. from 092012, 112912, 022513, 031813, 071913, 092013, 120613, 020714			
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		Reviewed by: skc	
		Reviewed on: 4-3-14	
		Updates:	
		Recommendation:	
		File 2A - Lamm	

2A

Petitioner states:

- The Trust Estate includes real estate, corporate stock, gemstones and cash, including an undivided 75% ownership interest as tenant in common in certain commercial real property consisting of an office building (the "commercial building") in Reedley, which is leased to Chase Bank. (The other 25% is owned by Duane's former spouse, Linda W. Lamm.)
- Petitioner states that since Lillian's death, Duane has been and continues to collect all rent from the Commercial Building personally and deposits same into his bank account without Allene's consent and in breach of the terms of the Trust.
- The Trust Estate also includes gemstones and precious metals, including specified items, and a Wells Fargo checking account, which is under Duane's exclusive control in breach of the terms of the Trust.
- The Trust Estate also includes 55% of the issued and outstanding common stock of Al Lamm Ranch, Inc., a California corporation. Allene and Duane each own 22.5%. Petitioner states Duane possesses and controls all of the assets of the Corporation and uses those assets for the exclusive benefit of his personal farming operations to the detriment of the Corporation and its majority owner, the Trust.
- The 76 acres of farmland (the "Home Ranch") located in Reedley is owned by the Trust and leased to Rio Vista Limited Partnership under a lease dated 10-1-05 that expires 9-30-20. Petitioner states all rent from the Home Ranch has been and continues to be collected by Duane and deposited in his personal accounts over which he has exclusive control. Duane has not provided Allene with any accounting nor made any distributions of such rental income to Allene in breach of the Trust.

Examiner's Note: It is unclear if this is the same 76 acres as is specified in the devise to Blake Lamm, since the devise indicates that the Trust owns only a partial interest of 45.56%, but this section of the petition indicates that the Trust owns this real property. The Court may require clarification.

- Petitioner states that at Lillian's death, Duane unilaterally assumed the primary duties of administering the Trust Estate, and appointed himself as the Trust decision maker and used his knowledge of the family holdings to single-handedly control the management of the Trust Estate while excluding Allene as a trustee in violation of Probate Code § 15620, which requires unanimous consent of co-trustees for action. Specifically, Petitioner states Duane has insisted on exercising exclusive control over the Commercial Building, Home Ranch and Corporation because those assets provide him with his primary source of income. Duane also holds physical possession of the specified gemstones and precious metals.
- Petitioner states she formally demanded an accounting and proposed division and distribution of the Trust Estate in a letter to Duane's attorney Mark Poochigian on 5-17-12, which letter has been ignored. Duane appears reticent in providing a full and complete disclosure of this acts and proceedings involving the Trust and has been less than forthcoming in his response to Allene's requests for information. Because of Duane's refusal to provide information and his exclusive control over the assets, including all bank accounts, for over five years, Duane should be directed to file full accounting.
- Petitioner states Duane has committed numerous breaches of trust by collecting all rents in connection with the Commercial Building and Home Ranch and depositing them into his personal accounts. By doing so, he has converted assets – a clear breach of trust.
- Duane has personally benefitted from his exclusive control and use of the equipment owned by the Corporation, the controlling shares of which are owned by the Trust. Neither the Corporation nor the Trust has received any benefit from Duane's personal use of such equipment.
- Petitioner further alleges that Duane has taken unauthorized withdrawals of cash from the Trust – another clear breach of the Trust and Probate Code § 15620 – without her consent, and no equalizing distributions have been made to Petitioner.

SEE ADDITIONAL PAGES

Page 3

- Finally, Duane has refused for well over five years to cooperate with Petitioner in division and distribution of the Trust Estate to the beneficiaries notwithstanding the terms of the Trust which require termination and immediate division and distribution following Lillian's death.
- Probate Code § 15642 empowers this Court to remove a trustee who has committed a breach or whose hostility or lack of cooperation with the other co-trustees impairs the administration of the Trust. Redress should also include removal of Duane as a co-trustee for his conversion of assets, unauthorized withdrawals, and refusal to cooperate. Such redress will allow Petitioner as the sole trustee to complete the necessary division and distribution as required by the express terms of the Trust.
- Redress should also include attorneys' fees and legal costs, as Petitioner has been forced to take extreme measures to compel Duane to carry out his fiduciary duties. Section 1(f) of the Trust allows the trustee to employ attorneys on behalf of the trust to assist in carrying out her duties. Petitioner, in carrying out her duties, has been required to retain counsel and incur legal costs to compel Duane to carry out his duties. Such fees and costs should be surcharged against Duane's beneficial interest in an amount according to proof.
- The Trust was to terminate on Lillian's death, which was over five years ago. Duane has refused to cooperate with Allene in dividing and distributing the Trust Estate to beneficiaries in accordance with the express terms of the Trust. Under Probate Code §§ 17200(b)(13) and (14), this Court has the authority and should order termination and distribution.

Petitioner requests the Court Order:

- **That Duane be directed to prepare and file within 30 days an account of the Trust from Lillian's death (11-19-06) through present, accompanied by a schedule of property, current market value, and all liabilities of the Trust;**
- **That Duane be compelled to restore to the Trust all Trust assets that he has converted for his personal use and benefit;**
- **That Duane be compelled to either return to the Trust all unauthorized cash advances that he has taken from the Trust Estate as described, plus interest at the max. legal rate, or in the alternative, be compelled to cause the Trust to make an equalizing distribution to Allene, plus interest;**
- **That Duane be removed as a co-trustee of the Trust;**
- **Directing that the Trust be terminated and the Trust Estate be divided and distributed to the Trust beneficiaries in accordance with the express terms of the Trust;**
- **For attorneys' fees and legal costs incurred by Petitioner in connection with this Petition to be surcharged against Duane's share of the Trust Estate; and**
- **For such other and further orders and relief as the Court may deem appropriate.**

Further Notes re status:

On 9-20-12, at the request of Mr. O'Rourke, the Court ordered Mr. Poochigian to prepare a formal accounting for the period commencing from the date of death to the present be completed by 11-19-12.

On 11-20-12, Mr. Poochigian filed a Declaration stating that his office sent a letter to Kenneth Baldwin's office on 11-19-12 enclosing an accounting from 11-19-06 through 10-31-12 (attached).

Minute Order 9-20-12: Paul O'Rourke [McCormick Barstow] is appearing via conference call. Mr. Poochigian advises the Court that he filed his objections this morning. The Court accepts Mr. O'Rourke's representation that no additional parties need to be provided notice. The Court notes that there is no objection by Mr. Poochigian regarding the issue of notice. At the request of Mr. O'Rourke, the Court orders Mr. Poochigian to prepare a formal accounting for the period commencing from the date of death to the present. The Court orders that the accounting to be completed by 11/19/12. Continued to 11/29/12, Status Conference Set on 11/29/12.

Note: The objections filed 9-20-12 state that in approx. Oct. 2007, Duane and Allene came to an agreement regarding division and distribution of trust property, only to have Allene later contend that she did not agree to the distribution. Late in 2009, without involvement of counsel, Duane and Allene came to agreement in principle re division and distribution, which was memorialized by Duane's counsel in a proposed agreement that Allene refused to sign. Allene incorrectly alleges that Duane has excluded her from administration. To the contrary, Duane was forced to assume primary responsibility due to her refusal to respond to calls for participation. Moreover, she has shown herself to be untrustworthy by her conversion of trust assets for personal use. Duane has attempted to fulfill his duties as co-trustee with the utmost good faith. Duane objects to the petition to the extent it is in conflict with these facts. Duane has not committed any breaches of trust, has not converted trust assets for his personal use and/or benefit, should not be removed as a co-trustee, and no attorney fees should be awarded to Allene. In approx. Further, Allene's conversion of trust assets of more than \$23,000 to her own personal use and that of her son should be charged and offset against her beneficial share. Objector prays the petition be denied, for attorney fees and costs, costs of suit incurred herein, and such other and further relief as the Court deems proper.

Note: No accounting has been properly filed for Court review; however, Objections to Accounting of Co-Trustee, Duane Alan Lamm were filed 11-30-12.

Examiner notes that an accounting (attached to Declaration) was sent to Petitioner's attorney; however, the accounting was not filed as a Petition for Court review.

Therefore, Examiner has not reviewed the schedules or the objections.

If the Co-Trustee's Accounting is to be reviewed by the Court, need Petition with appropriate filing fee.

Minute Order 2-25-13: Counsel informs the Court that a settlement agreement is in progress. Matter continued. Status hearing set (Page 2B).

		ALLENE JOYCE LAMM O'NEAL , Co-Trustee, filed Petition to Compel Co-Trustee DUANE ALAN LAMM to File Report and Account after Written Request, to Remove DUANE ALAN LAMM as Co-Trustee, to Redress Breaches of the Trust by DUANE ALAN LAMM , to Divide and Distribute the Trust Estate, and to Terminate the Trust on 8-6-12.	NEEDS/PROBLEMS/COMMENTS: Minute Order 9-20-13: Mr. Poochigian informs the Court that the case has been settled but they are working on one minor issue. Minute Order 12-6-13: Matter continued to 2-7-14. If the necessary documents are filed by 2-7-14, no appearance will be necessary. As of 4-3-14, nothing further has been filed. 1. Need status of settlement agreement. The petition at Page 2A remains pending.
Cont. from 031813, 071913, 092013, 120613, 020714			
<input type="checkbox"/>	Aff.Sub.Wit.	DUANE ALAN LAMM filed Objections on 9-20-12.	At hearing on 9-20-12, the Court ordered Mr. Poochigian to prepare a formal accounting for the period commencing from the date of death to the present by 11-19-12, and the matter was continued to 11-29-12.
<input type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	On 11-20-12 , Attorney Poochigian filed a declaration that appears to contain an informal unverified "accounting" that was sent to Mr. Baldwin.	At hearing on 11-29-12 , the matter was set for trial on 3-29-13, settlement conference to be held on 2-25-13.
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	On 11-30-12 , Allene Joyce Lamm O'Neal filed Objections to Accounting.	At hearing on 2-25-13 , Counsel informed the Court that a settlement agreement is in progress. The Settlement Conference was taken off calendar and the Court set this status hearing re: Settlement Agreement.
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail	Due to continuances (see minute orders), this is the 6th Status Hearing re Settlement Agreement.	Reviewed by: skc
<input type="checkbox"/>	Aff.Pub.		
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<input type="checkbox"/>	Pers.Serv.		Updates:
<input type="checkbox"/>	Conf. Screen		Recommendation:
<input type="checkbox"/>	Letters		File 2B – Lamm
<input type="checkbox"/>	Duties/Supp		
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Atty Dowling, Michael P., sole practitioner (for Respondent Cara Alexander Gimlin, Successor Trustee)

Atty Sherwood, Peter A., of Sherwood Law Offices, Visalia (for Linda Alexander Di Michillie, Successor Trustee)

Atty Boyajian, Thomas, sole practitioner, for Kenneth Alexander & Suzanne Alexander, Trust Beneficiaries

Probate Status Hearing: Further Settlement Agreement

Carolyn DOD: 6/17/2002		<p>CARA A. ALEXANDER GIMLIN, daughter and Successor Trustee of the ALEXANDER FAMILY 1998 REVOCABLE TRUST as amended (<i>aka SURVIVOR'S TRUST</i>), filed a Petition for Confirmation of Proposed Distribution of Alexander Family 1998 Revocable Trust - Survivor's Trust Pursuant to Court Order.</p> <p>LINDA ALEXANDER DE MICHILLIE, daughter and Successor Trustee of the ALEXANDER DISCLAIMER TRUST; CARA A. ALEXANDER GIMLIN, as Successor Trustee of the ALEXANDER FAMILY 1998 REVOCABLE TRUST – SURVIVOR'S TRUST; and KENNETH A. ALEXANDER, son, and SUZANNE M. ALEXANDER, daughter-in-law, all participated in a Mandatory Settlement Conference before the Honorable Robert Oliver on 6/20/2013 and agreed to settle their disputes.</p> <p>An Order Re: Settlement and Stipulation for the Petition for Order Confirming Ownership Interest in Real Property was filed on 8/22/2013 in connection with the agreed settlement in this matter; pursuant to Section 13 of the Order, this Court retained jurisdiction over the SURVIVOR'S TRUST; A portion of the proceeds have been distributed to the beneficiaries of the SURVIVOR'S TRUST, including all amounts owed to KENNETH A. ALEXANDER and SUZANNE M. ALEXANDER for reimbursement of out-of-pocket expenses and ½ of profit; the remainder is on hand and available for final distribution.</p> <p>Minute Order dated 2/18/2014 states a further settlement agreement is reached as set forth by Mr. Dowling. The Court is advised that there are no more claims, demands, or issues regarding the trustee. The Court indicates to the parties that this will be a global settlement of all claims known and unknown. Upon inquiry by the Court, each party individually agrees to the terms and conditions of the agreement. Mr. Dowling is directed to prepare the order. The petition before the Court is approved pending receipt of agreement. Matter set on 3/11/2014 for status re: further settlement agreement.</p> <p>Minute Order 3/11/2014 from the status hearing states the matter is continued to 4/8/2014. The Court will adopt the settlement agreement reached on 2/18/2014 if it has not been executed by 4/8/2014. All counsel and parties are ordered to be personally present on 4/8/2014 if the agreement has not been executed.</p> <p>Clerk's Certificate of Mailing filed 3/24/2014 shows a copy of the Minute Order dated 3/11/2014 was mailed to all of the attorneys of record in this matter.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR</p> <p><i>Order on Petition for Confirmation of Proposed Distribution of Alexander Family 1998 Revocable Trust – Survivor's Trust [to be filed 4/8/14.]</i></p> <p><u>Page 3B</u> is the Hearing Re: Order by Court to Adopt Settlement Agreement Reached on 2/18/14.</p> <p><u>Continued from 3/11/20134.</u></p>	
Arthur DOD: 11/21/2011				
Cont. from 031114				
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	FTB Notice			
		<p>Reviewed by: LEG</p> <p>Reviewed on: 4/7/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 3A – Alexander</p>		

Atty Dowling, Michael P., sole practitioner (for Respondent Cara Alexander Gimlin, Successor Trustee)
 Atty Sherwood, Peter A., of Sherwood Law Offices, Visalia (for Linda Alexander Di Michillie, Successor Trustee)
 Atty Boyajian, Thomas, sole practitioner, for Kenneth Alexander & Suzanne Alexander, Trust Beneficiaries
 Hearing Re: Order by Court to Adopt Settlement Agreement Reached on 2/18/14

Carolyn DOD: 6/17/2002	CARA A. ALEXANDER GIMLIN, daughter and Successor Trustee of the ALEXANDER FAMILY 1998 REVOCABLE TRUST as amended (<i>aka SURVIVOR'S TRUST</i>), filed a <i>Petition for Confirmation of Proposed Distribution of Alexander Family 1998 Revocable Trust - Survivor's Trust Pursuant to Court Order.</i>	NEEDS/PROBLEMS/ COMMENTS:
Arthur DOD: 11/21/2011		
Cont. from	LINDA ALEXANDER DE MICHILLIE, daughter and Successor Trustee of the ALEXANDER DISCLAIMER TRUST ; CARA A. ALEXANDER GIMLIN, as Successor Trustee of the ALEXANDER FAMILY 1998 REVOCABLE TRUST – SURVIVOR'S TRUST ; and KENNETH A. ALEXANDER, son, and SUZANNE M. ALEXANDER, daughter-in-law, all participated in a Mandatory Settlement Conference before the Honorable Robert Oliver on 6/20/2013 and agreed to settle their disputes.	OFF CALENDAR <i>Order on Petition for Confirmation of Proposed Distribution of Alexander Family 1998 Revocable Trust – Survivor's Trust [to be filed 4/8/14.]</i> <i>Stipulation on Petition for Confirmation of Proposed Distribution of Alexander Family 1998 Revocable Trust – Survivor's Trust was filed on 4/1/2014, signed by Kenneth Alexander, Suzanne Alexander, Linda Alexander De Michille, Cara Ann Gimlin, Attorney Boyajian and Attorney Dowling.</i>
Aff.Sub.Wit.		
Verified	Minute Order dated 2/18/2014 states a further settlement agreement is reached as set forth by Mr. Dowling. The Court is advised that there are no more claims, demands, or issues regarding the trustee. The Court indicates to the parties that this will be a global settlement of all claims known and unknown. Upon inquiry by the Court, each party individually agrees to the terms and conditions of the agreement. Mr. Dowling is directed to prepare the order. The petition before the Court is approved pending receipt of agreement. Matter set on 3/11/2014 for status re: further settlement agreement.	Reviewed by: LEG
Inventory		
PTC	Minute Order 3/11/2014 from the status hearing states the matter is continued to 4/8/2014. The Court will adopt the settlement agreement reached on 2/18/2014 if it has not been executed by 4/8/2014. All counsel and parties are ordered to be personally present on 4/8/2014 if the agreement has not been executed.	Reviewed on: 4/7/14
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Citation		
FTB Notice		

3B

Notice of Motion for an Order Compelling Responses to Form Interrogatories

	<p>DENNIS FREEMAN, Successor Trustee, is Petitioner.</p> <p>Petitioner states Respondent CHRISTOPHER LULL has failed to file a timely response to Form Interrogatories and no extension of time has been requested or granted.</p> <p>Petitioner moves the Court pursuant to CCP §§ 2030.290(a), 2030.290(b) for an order compelling Respondent to provide responses without objection to Form Interrogatories.</p> <p>Petitioner also seeks monetary sanctions against Respondent in the amount of \$547.50 pursuant to CCP §§ 2030.290(c), 2031.300(c), and 2033.280(c).</p> <p>See Memorandum of Points and Authorities in support of this motion filed 02/26/14</p> <p>Declaration of Jeffrey B. Pape in support of this motion filed 02/26/14 provides a timeline of the events leading to this motion and states the \$547.50 includes 1.5 attorney hours for preparation of this motion, plus the \$60.00 filing fee.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Notice of Hearing was personally served on the Law Office of Steven Shahbazian. Also need proof of service by mail on the Respondent directly.</p>
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		<p>Reviewed by: JF</p> <p>Reviewed on: 04/07/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4 – Winter</p>

Age: 4		<u>TEMPORARY EXPIRES 04/08/14</u>		NEEDS/PROBLEMS/COMMENTS:	
		ANN MARSHALL , maternal grandmother, is Petitioner.		1. Need Notice of Hearing.	
		Father: FRANK SOLIS, JR.		2. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Frank Solis, Jr. (Father) – Unless the Court waives notice. 	
Cont. from		Mother: MICHELA SOLIS , Consents and Waives Notice		3. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Donna Acosta Galvan (Paternal Grandmother) Darrell Huxley (Maternal Grandfather) 	
<input type="checkbox"/>	Aff.Sub.Wit.				
<input checked="" type="checkbox"/>	Verified				
<input type="checkbox"/>	Inventory				
<input type="checkbox"/>	PTC				
<input type="checkbox"/>	Not.Cred.				
<input type="checkbox"/>	Notice of Hrg	<input checked="" type="checkbox"/>			
<input type="checkbox"/>	Aff.Mail	<input checked="" type="checkbox"/>			
<input type="checkbox"/>	Aff.Pub.	<input type="checkbox"/>			
<input type="checkbox"/>	Sp.Ntc.	<input type="checkbox"/>			
<input type="checkbox"/>	Pers.Serv.	<input checked="" type="checkbox"/>			
<input checked="" type="checkbox"/>	Conf. Screen	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Letters	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Duties/Supp	<input type="checkbox"/>			
<input type="checkbox"/>	Objections	<input type="checkbox"/>			
<input type="checkbox"/>	Video Receipt	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	CI Report	<input type="checkbox"/>			
<input type="checkbox"/>	9202	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Order	<input type="checkbox"/>			
<input type="checkbox"/>	Aff. Posting	<input type="checkbox"/>			
<input type="checkbox"/>	Status Rpt	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	UCCJEA	<input type="checkbox"/>			
<input type="checkbox"/>	Citation	<input type="checkbox"/>			
<input type="checkbox"/>	FTB Notice	<input type="checkbox"/>			
		<p>Paternal grandfather: FRANK SOLIS, SR., Deceased Paternal grandmother: DONNA ACOSTA GALVAN</p> <p>Maternal grandfather: DARRELL HUXLEY</p> <p>Petitioner states that the child has been in her care since a month after the child's birth, he is now 4 years old. She states that the mother and the father were in an abusive relationship, and each of them have their share of criminal matters. The mother often had no home at the time and often lived on the streets or out of a trailer. Recently the child's father has threatened to remove the child from the petitioner's care. The child does not know the father and would not recognize him if he saw him. The father is a validated Bulldog gang member with a violent criminal history. The mother is currently incarcerated and not scheduled to be released until 2020.</p> <p>Petitioner requests to be excused from noticing the father due to his affiliation with the Bulldog gang. He has several felony convictions for violent crimes and continues to have strong ties to the gang. Petitioner states that he has threatened her in the past and have come to her home uninvited for the purpose of causing harm. She fears that if she is forced to give him notice of these proceedings, her safety and the safety of the child will be compromised.</p> <p>Court Investigator Jennifer Young's report filed 04/02/2014.</p>		<p>Reviewed by: LV</p> <p>Reviewed on: 04/04/2014</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5 – Solis</p>	

Atty Esraelian, Robyn L., of Richardson, Jones & Esraelian (for Petitioner Phyllis McCauley)

Petition for Order Confirming that Property is a Trust Asset

DOD: 10/18/2014		<p>PHYLLIS McCAULEY, Trustee of the BOBBY J. QUALLS DECLARATION OF TRUST dated 7/26/2006, is Petitioner.</p> <p>Petitioner states:</p> <ul style="list-style-type: none"> Bobby J. Qualls established the Trust as Trustor and as initial Trustee, and she acted as Trustee until her death on 10/18/[2013] (<i>copy of Trust attached as Exhibit A; copy of death certificate attached as Exhibit D</i>); Trust terms (Article Two) declare that all property listed on Schedule A is included in the Trust estate (<i>copy of Schedule A attached on last page of Exhibit A</i>); Schedule A lists certain real property located on Aubery Road in Clovis; On 7/26/2006, an undivided ½ interest in the property was transferred by Deed to the Trust (<i>copy of Deed attached as Exhibit B</i>); Due to documentation that was provided by Decedent for purposes of preparation and execution of the Deed, there was a clerical error in the Deed and 100% interest in the property should have been set forth on such Deed; therefore, the Deed did not convey the entire interest owned by the Decedent to her Trust; Petitioner asserts that it was the intention of Decedent as Trustor and Trustee that a 100% interest in the property be owned by the Trust; The Trustor declared in the Trust instrument that she transferred and assigned to the Trustee all of her interest in the real property listed on Schedule A; Petitioner is informed and believes that it was Trustor's intention and understanding that all of the property was to be held in the Trust under Schedule A of the Trust agreement; therefore, Petitioner believes that all of the property is subject to her control as Successor Trustee; The Will of the Decedent provides that her entire estate shall go to the Trustee of the Trust (<i>copy of Will attached as Exhibit C</i>). <p>Petitioner requests the Court order that all of the property described in the <i>Petition</i> is an asset held in the Trust and is subject to the management and control of Phyllis McCauley as Successor Trustee of the Trust.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Probate Code § 850(a)(3)(B) appears to be the most applicable provision, providing that the Trustee may file a petition requesting the transfer of property to a Trustee where the trustee has a claim to real property, title to or possession of which is held by another. Petitioner seeks a Court order confirming as a Trust asset the 50% interest in the Aubery real property that is not listed on the copy of the Quitclaim Deed attached as <i>Exhibit B</i>. The defect upon which the <i>Petition</i> is based is an error in the Deed itself as to the amount of interest in the property the Decedent owned, rather than an error or inadvertence in Decedent's transfer of the title of the real property to the Trust. While Petitioner does not provide copies of the documentation that was provided by Decedent for purposes of preparation and execution of the Deed, <i>Schedule A</i> to the Trust lists a 100% interest in the subject real property, appearing to demonstrate that Decedent's interest was at all relevant times 100% rather than 50%.</p>
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail W/		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		<p>Reviewed by: LEG</p> <p>Reviewed on: 4/7/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6 – Qualls</p>	

DOD: 07/21/2013		<p>DONALD P. DICK, Trustee of The Donald P. Dick and Beverly J. Dick Family Trust, is petitioner.</p> <p>40 days since DOD</p> <p>I&A - \$90,625.00</p> <p>Will dated: 02/03/2006 devises all property to the Donald P. Dick and Beverly J. Dick Family Trust.</p> <p>Petitioner requests Court determination that decedent's undivided one half interest in a 25% community property located at 44512 Lakeview, Shaver Lake, Ca pass to The Donald P. Dick and Beverly J. Dick Family Trust pursuant to the decedent's will.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued to 04/24/2014 at the Request of the Attorney</u></p> <p>1. Need Declaration pursuant to Local Rule 7.12.5 regarding distribution to Intervivos Trust.</p>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail w/		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCC/JEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		<p>Reviewed by: LV</p> <p>Reviewed on: 04/04/2014</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 7 – Dick</p>	

Petition to Establish Fact of Marriage

Richard Yegan	MARCIA RENEE CREW is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
DOD: 10-22-13		
	Petitioner states she and RICHARD YEGAN were married on 12-31-99 in Fresno, California, but there is no official record of the fact, date, and place of marriage. Richard Yegan passed away on 10-22-13. Therefore, Petitioner seeks a Court Order Establishing Fact of Marriage pursuant to Health and Safety Code §§ 103450-103490.	1. Petitioner does not state <u>why</u> there is no official record of the marriage. Was a valid marriage license obtained and recorded? If not, why not?
Aff.Sub.Wit.	Declaration in Support of Petition states the ceremony on 12-31-99 was performed by Sheriff's Dept. Chaplain Doug Lanier and witnessed by Catherine Rogers. Prior to his death, Richard created an estate plan naming his wife, Marcia Crew, as sole beneficiary of his estate (trust and will dated 8-20-13 attached). Because of the trust, no administration of his estate will be required. However, Petitioner needs to establish that they were legally married in order to obtain Social Security death benefits as Richard's Surviving Spouse.	Health and Safety Code §103150 states: Each marriage that is performed shall be registered by the person performing the ceremony as provided by Chapter 2 (commencing with Section 420) of Part 3 of Division 3 of the Family Code.
✓ Verified		Family Code §§ 420 et seq., states that before solemnizing a marriage, the officiant shall require the presentation of the marriage license, and that upon solemnizing the marriage, the officiant shall return the endorsed marriage license to the county recorder within 10 days after the ceremony.
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt	Declaration of Doug Lanier states on 12-31-99 he officiated the marriage of Richard Yegan and Marcia Crew.	Family Code §425 allows up to one year to obtain a license via declaration from the county clerk if the above procedure was not followed.
CI Report		
9202		
✓ Order	Declaration of Catherine Rogers states on 12-31-99, she witnessed the marriage of Richard Yegan and Marcia Crew.	Neither the petition nor the officiant's declaration contain any information about why a license was not obtained and recorded at the time of the marriage.
		If a valid license was not obtained, need authority for Court order establishing fact of marriage.
Aff. Posting		Reviewed by: skc
Status Rpt		Reviewed on: 4-7-14
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 8 – Yegan & Crew

Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution

DOD: 6/9/1999		JUDITH WHITE was appointed Executor with full IAEA authority and without bond on 9/7/2004.	NEEDS/PROBLEMS/COMMENTS:
		Letters issued on 9/8/2004.	1. Need Inventory and Appraisal and First Account, Petition for Final Distribution <u>or</u> current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Cont. from 020714			
<input type="checkbox"/>	Aff.Sub.Wit.	Inventory and Appraisal was due February 2004.	
<input type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	First Account or Petition for Final Distribution was due September 2005.	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	Notice of Status Hearing was mailed to Attorney J. Todd Armas and to Executor Judith White on 11/20/14.	
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
<input type="checkbox"/>			
			Reviewed by: KT / LV
			Reviewed on: 04/04/2014
			Updates:
			Recommendation:
			File 9 – Kachadoorian

**Probate Status Hearing Re: Failure to File an Inventory and Appraisal and for
 Failure to File a First Account or Petition for Final Distribution**

DOD: 09/09/09		<p>STEPHEN J. GOODALL, son, was appointed Executor with full IAEA authority and without bond on 08/27/10. Letters of Administration were issued on 08/27/10.</p> <p>Mr. Goodall also served as Special Administrator of the Estate from 06/15/10 – 08/27/10.</p> <p>HERMAN BANKS, former spouse, filed a Petition for Removal of the Personal Representative on 10/14/10; said Petition was denied on 12/06/10. Minute Order from 12/06/10 states: The court finds a lack of standing and finds there are no grounds to remove the Personal Representative. Atty Sanoian to submit an order regarding the court's denial.</p> <p>It appears that no Order was submitted or signed.</p> <p>Notice of Status Hearing filed 11/18/13 set this matter for status regarding failure to file an Inventory & Appraisal and failure to file an Accounting/Petition for Final Distribution. Clerk's Certificate of Mailing indicates that the Notice of Status Hearing was mailed to attorney Joanne Sanoian and Stephen Goodall on 11/18/13.</p> <p>Status Hearing Report filed 01/30/14 requests a 45 to 60 day continuance so that the Administrator can prepare a First and Final Account.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 02/07/14</u></p> <ol style="list-style-type: none"> 1. Need Inventory & Appraisal. 2. Need Accounting/Report of Executor on waiver of Account and Petition for Final Distribution.
Cont. from 020714			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: JF</p> <p>Reviewed on: 04/04/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10 – Goodall</p>	

Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution

DOD: 10/23/11		<p>BETSY McMILLAN, daughter, was appointed as Executor with full IAEA and without bond on 01/04/12. Letters Testamentary were issued on 01/05/12.</p> <p>Inventory & Appraisal, partial no. 1, filed 03/14/12 - \$64,500.00</p> <p>Inventory & Appraisal, final, filed 11/20/12 - \$72,367.01</p> <p>Notice of Status Hearing filed 11/18/13 set this matter for status regarding failure to file a First Account or Petition for Final Distribution. Clerk's Certificate of Mailing states that a copy of the Notice of Status Hearing was mailed to attorney Joanne Sanoian and Betsy McMillan on 11/18/13.</p> <p>Unverified Status Report filed 01/30/14 requests a 60 day continuance for the Executor to prepare the First and Final Account.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 02/07/14</u></p> <p>1. Need First Account or Petition for Final Distribution First Account or Petition for Final Distribution and/or current verified status report.</p>
Cont. from 020714			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: JF</p> <p>Reviewed on: 04/04/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11 – Castle</p>	

Status Hearing Re: Filing of the Additional Bond

		ROSANNA TOROSIAN was appointed Administrator with Limited IAEA with bond of \$285,000.00 on 8-6-13.	NEEDS/PROBLEMS/COMMENTS: <u>Continued from 2-7-14</u> 1. Need additional bond totaling \$385,000.00. <u>Note:</u> Ms. Torosian's original petition stated that the decedent was a widow with no children, and her only relatives in Fresno were the three children of her deceased husband's sister (one being Ms. Torosian, the others not listed). Ms. Torosian also listed a brother in Italy, and stated there were possibly other siblings, unknown. Soon after Ms. Torosian's appointment, Requests for Special Notice were filed on behalf of Vittoria Simone, Elisa Simone, Giuseppina Simone, Giuseppe Simone, Sebastiano Simone, Angela Simone, Cinzia Simone, Emilio Sicoli, Angela Sicoli, Gianni Sicoli, Maria Pia Sicoli, Sebastiano Sicoli, Francesco Sicoli (relationships unclear at this time). Also soon after her appointment, on 11-26-13, Administrator Rosanna Torosian filed a Creditor's Claim to the estate in the amount of \$59,668.00 for services provided to the decedent during her lifetime. On 2-19-14, Attorney Stefano Abbasciano of Walnut Creek, CA, filed "Objections to Creditor Rosanna Torosian's Claim" on behalf of 14 heirs. At this time, interested persons should note that the Administrator has <u>not</u> brought her claim before the Court for approval and it is not being considered. The First Account or Petition for Final Distribution is due by 10-3-14, unless a petition is brought sooner. However, at this time, based on the new information in the file, the Court may require an updated declaration from the Administrator as to the identities of all interested persons (pursuant to intestate succession) and their relationships to the decedent.
Cont. from 020714			
Aff.Sub.Wit.		On 1-8-14, the Court confirmed the sale of real property and ordered the bond increased to \$385,000.00. The Court set this status hearing for the filing of the additional bond. Status Hearing Report filed 1-30-14 by Attorney Natalie Nuttall requests an additional 30 days for the administrator to post the additional bond amount.	
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting		Reviewed by: skc	
Status Rpt		Reviewed on: 4-3-14	
UCCJEA		Updates:	
Citation		Recommendation:	
FTB Notice		File 12 – Otrakjian	

		ADRIANNE MOUTON , Maternal Aunt is Guardian. Guardian's Petition to Fix Residence Outside the State of California was granted on 7-18-13. The Court set this Status Hearing Re: Establishment of Guardianship in Nevada. On 9-17-13, Petitioner filed a declaration with an attached copy of a petition for guardianship filed 8-12-13 in Clark County, Nevada. The document indicates a court date of 9-12-13.	NEEDS/PROBLEMS/COMMENTS: <div> <u>OFF CALENDAR</u> On 2-4-14, the Guardian submitted the Order Appointing Guardian filed 1-30-14 in Clark County Nevada was submitted via declaration. <u>Note:</u> The Court may call this matter on the record in order to formally terminate this California guardianship at this time via Minute Order. </div>
Cont. from 111913, 123113, 020414			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: skc	
		Reviewed on: 4-3-14	
		Updates:	
		Recommendation:	
		File 13 – Collins	

Pro Per Nix, Jeannie (Pro Per Executor)

Petition for Settlement of First and Final Account, for Final Distribution, and Fixing and Allowing Compensation

DOD: 9/6/2012		
Cont. from		
	Aff.Sub.Wit.	
✓	Verified	
✓	Inventory	
✓	PTC	
✓	Not.Cred.	
✓	Notice of Hrg	
✓	Aff.Mail	W/ O
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	121012
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
✓	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
✓	FTB Notice	011514

JEANNIE NIX , sister and Executor with Full IAEA authority without bond appointed on 12/10/2012, is Petitioner.	
Account period: 9/6/2012 – 1/31/2014	
Accounting	- \$14,022.20
Beginning POH	- \$14,119.85
Ending POH	- \$ 1,601.83 (all cash)
Executor	- \$303.96 or less (Petitioner sets forth statutory compensation as \$600.00, which exceeds statutory of \$582.87, calculated on fee base of \$14,571.85 [\$1,252.00 gain less \$800.00 loss.]
Executor Costs-	~\$7,913.03 (paid)
-	\$1,297.87 (not paid) (costs advanced listed on Exhibit H, including funeral expenses, space rental for mobile home, truck insurance, storage, essential repairs, gas/mileage, photocopies, meals, publication, postage, probate referee, moving expenses;)
Closing	- \$303.96 (exceeds available cash)
Petitioner states:	
<ul style="list-style-type: none"> Exhibit A lists all claims filed against the estate; the Decedent's estate is insolvent; pro-rated payments were made to claimants according to Probate Code § 11420 and 11421; [Creditor's Claim filed 3/6/2013 by the Department of Health Care Services (DOH) for \$4,802.32 was partially paid by the Executor in the amount of \$4,642.07; Dismissal of Creditor's Claim and Withdrawal of Request for Special Notice Receipt was filed 2/27/2014]; Partial reimbursement to Petitioner has been made of funds advanced by her on behalf of the estate to preserve the estate assets during the time frame when the estate was without any funds; 	
~Please see additional page~	

NEEDS/PROBLEMS/ COMMENTS:
Page 14B is the <i>Petition to Waive Fee</i> .
Note: Minute Order dated 2/7/2014 from the Status Hearing Re: filing of the first account states Ms. Nix is directed to submit documentation regarding the funds advanced.
<ol style="list-style-type: none"> Petitioner requests reimbursement to her of costs advanced, as well as a closing reserve. Filing fees are considered costs of administration to be paid prior to authorization of a closing reserve. Therefore, it appears a filing fee is due in the amount of \$435.00 for filing of the final accounting.—Addendum to First and Final Accounting filed 4/7/14. Prayer of the Petition is contradictory in its request for both payment of \$303.96 or any lesser amount remaining as compensation to Petitioner, and also for withholding of \$303.96 for closing expenses and as a reserve for liabilities of the estate. Proposed order is similarly contradictory with the prayer of the Petition. Proposed order may be interlineated following the Court's ruling to reflect the correct amounts.—Addendum to First and Final Accounting filed 4/7/14. ~Please see additional page~
Reviewed by: LEG
Reviewed on: 4/3/14
Updates: 4/7/14
Recommendation:
File 14A – Bezona

Petitioner states, continued:

- Petitioner performed the following actions without Court supervision after giving *Notice of Proposed Action* with proof of service:
 - Sold Decedent's mobile home residence for **\$13,000.00**; the mobile home was held jointly with Decedent's ex-wife, **LINDY JO LANE**, and the proceeds were divided 50/50 according to the declarations in the final Divorce Decree, Case #10CEFL00438 filed on 8/26/2010 [copy of Judgment attached as Exhibit G]; net proceeds of **\$5,514.78** were deposited into the estate checking account; *Notice of Proposed Action* was given on 11/5/2012 to all persons whose interest was affected by the sale, and no objections were received; *Notice of Proposed Action* was filed with the Court [on 11/27/2012.]
 - Sold Decedent's vehicle for **\$5,000.00** cash; *Notice of Proposed Action* was given on 11/5/2012 to all persons whose interest was affected by the sale, and no objections were received; *Notice of Proposed Action* was filed with the Court [on 11/27/2012.]
 - On 9/16/2012, the Executor allowed the estate's sole beneficiary, **TYLER BEZONA**, Decedent's grandchild, to take possession of items of Decedent's household furniture, furnishings and personal effects; presumably he was entitled to those items as authorized by Probate Code § 9650(c).
 - On 10/2/2012, after a burglary of Decedent's residence, the Executor preserved the value of the assets and relocated the remaining household furniture, furnishings and personal effects into storage and later the items were sold for cash; *Notice of Proposed Action* was given on 11/5/2012 to all persons whose interest was affected by the sale, and no objections were received; *Notice of Proposed Action* was filed with the Court [on 11/27/2012.]
- The beneficiary **TYLER BEZONA** has requested a final account; Executor attaches Exhibits D, E, and F, a summary of income, expenses and payments made to date on behalf of the estate;
- No compensation has been paid from estate assets to the [Executor]; the [Executor] has been partially reimbursed for advances of monies to the estate from her personal funds to pay essential expenses of the estate, including but not limited to: space rental, insurance, storage and essential repairs; the financial advances from the [Executor] were essential to preserve the assets of the estate pending sale(s) of the non-liquid assets of the estate;
- After acquisition of some cash through the sale of some of Decedent's household items, [Executor] opened an estate checking account to facilitate accounting and administration of the estate; no deposits or withdrawals were made to or from the savings account in existence prior to Decedent's death; however, the Decedent's savings account was held open until 9/16/2013, when **\$85.05** from the closed savings account was deposited on 9/25/2012 into the estate checking account;
- The estate is insolvent; Exhibit A, Known Creditors and Creditor Claims shows the creditors' claims totaled **\$14,721.33**; prorated payments were made to claimants according to Probate Code § 11420 and 11421, as stated on Exhibit I, Creditors' Claims Proration Worksheet;
- See Exhibit B, Property on Hand at date of death; the assets were appraised at **\$14,119.85**, and the realized value was **\$13,596.90**.

Petitioner requests:

1. Administration of this estate be closed, and the Court ratify, approve and confirm all acts, transactions and sales of the personal representative;
2. The filing fee for the First and final Accounting be waived due to insolvency of the estate;
3. The Court settle, allow and approve the First and Final Account as filed;
4. The Court ratify, approve and confirm the reimbursement made to Petitioner on 2/14/2013;
5. The Court authorize reimbursement of **\$1,297.87** to Petitioner for monies advanced to the estate and not yet reimbursed, as listed on Exhibit H;
6. The Court authorize Petitioner be allowed compensation of **\$303.96** or any lesser amount remaining after all closing expenses and liabilities are determined from Decedent or the estate; and
7. The Court authorize Petitioner to withhold **\$303.96** for closing expenses and as a reserve for liabilities of the estate.

~Please see additional page~

NEEDS/PROBLEMS/COMMENTS, continued:

Notes: Summary of Account at Exhibit F does not technically comply with Probate Code § 1061(b) and (c), nor do the other Exhibits submitted in support of the First Account comply with the provisions for estate accountings pursuant to Probate Code §§ 1061 et seq. However, the Court may find substantial compliance in that the Exhibits contain the required information. The following notes are provided for the Court's consideration with respect to approval of the First and Final Account:

- It appears from the attached exhibits that the Executor has reimbursed herself from the estate the sum of **~\$7,913.03**. The Executor should be aware that reimbursement of funds advanced by the personal representative is authorized by Probate Code § 9252 to be done after Court approval of the reimbursement, including payment for funeral expenses, which appear to have been reimbursed in the sum of **~\$1,313.73** (Note: Funeral/burial expenses include Petitioner's purchase of a plot for 3 persons (Petitioner being one of the 3) for cost savings to the estate, with a charge to the estate of 1/3 of the cost (**\$840.00**, plus **\$592.00** for headstone/permit/install). It is unclear what portion of payment is attributable to the Decedent, particularly given that there are no receipts submitted with the First Account for any of the expenditures made by the Petitioner.)
- Many expenditures of the Executor detailed in the First and Final Account on Exhibits appear to be expenses not typically authorized by Local Rule 7.17(B), such as gas for travel to court (**\$294.29** = \$52.82; \$181.46; \$60.01; \$45.44 is listed as not yet reimbursed); postage and photocopies (**\$15.27** (\$1.07; \$5.45, \$1.15; \$6.40; \$1.20); \$3.92 is listed as not yet reimbursed;) and **\$35.00** for legal advice.
- Petitioner states Decedent's mobile home was held jointly with Decedent's ex-wife, **LINDY JO LANE**, and the proceeds were distributed by Petitioner to Ms. Lane per the Divorce decree issued in the Family Law case. The Probate Court did not authorize such distribution of estate assets by the Executor. In support of the Court approving such distribution is a partial copy of the Judgment in Case # 10CEFL00438 filed 8/26/2010, showing "Paragraph i" which finds that ½ of the net proceeds of the sale of the mobile home shall be distributed to Decedent, though it is not completely clear based upon the partial copy of the Family Court Judgment that Petitioner provided.
- Executor's actions in these matters cannot be considered authorized under IAEA, and while the Executor appears to be forthcoming with reporting the information, the actions appear to violate many Probate Code provisions. However, it appears that the Executor is diligent in record-keeping and in disclosure to the Court of the actions and transactions made during her administration of the estate. Court may require that the Executor pay back to the estate any sums which the Court finds in its discretion should not have been reimbursed to the Executor without prior Court authorization pursuant to Probate Code § 9252.

Note: Property on hand in the estate as stated on Exhibit B as of 1/22/2014 is **\$1,601.83**. Proposed order does not but should state that the sole beneficiary of Decedent's Will, **TYLER BEZONA**, will have no distribution from Decedent's estate based upon Petitioner's First and Final Account. Proposed order has been interlineated to include this finding due to lack of assets.

Pro Per Nix, Jeannie (Pro Per Executor)

Petition to Waive Fee [CONFIDENTIAL]

DOD: 9/6/2012			NEEDS/PROBLEMS/COMMENTS:
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		Reviewed by: LEG	
		Reviewed on: 4/3/14	
		Updates:	
		Recommendation:	
		File 14B - Bezona	

14B

15 Kaycee Renee Draper (CONS/P)
Atty Draper, Cynthia Lucia (pro per – mother/Petitioner)
Atty Kelley, Sabrina Irene (pro per – mother's domestic partner/Petitioner)

Case No. 14CEPR00025

Amended Petition for Appointment of Probate Conservator of the Person

Age: 18		<p align="center"><u>NO TEMPORARY REQUESTED</u></p> <p>CYNTHIA DRAPER, mother and SABRINA KELLEY, mother's domestic partner, are Petitioners and request appointment as Conservators of the Person with medical consent powers.</p> <p>Declaration of Merle Martin, M.D. filed 03/04/2014 supports the request for medical consent powers.</p> <p>Petitioners state that Kaycee is intellectually disabled and requires assistance in activities of daily living. She is not able to provide for her own needs of housing, food, etc.</p> <p>Court Investigator Samantha Henson filed a report on 02/14/14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator advised rights on 01/31/14.</p>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail w/		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input checked="" type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input checked="" type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		<p>Reviewed by: LV</p> <p>Reviewed on: 04/04/2014</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 15 – Draper</p>	

16 Janessa & Jenna Lopez (GUARD/P)
 Atty Lopez, Tina (Pro Per – Petitioner – Paternal Grandmother)
 Atty Mason, Katrina (Pro Per – Objector – Maternal Grandmother)
 Atty Lamphere, Breanna (Pro Per – Objector – Mother)

Case No. 14CEPR00094

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Janessa, 2		TEMPORARY EXPIRES 04/08/14	NEEDS/PROBLEMS/COMMENTS:
Jenna, 10 months			
		TINA LOPEZ, paternal grandmother, is Petitioner.	Note: Katrina Mason, Maternal Grandmother, filed a competing Petition for Guardianship on 03/07/2014. Hearing is set for 05/07/2014.
Cont. from		Father: JACOB LOPEZ	1. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Jacob Lopez (Father)
	Aff.Sub.Wit.		
✓	Verified	Mother: BREANNA LAMPHERE – Declaration of Due Diligence filed 02/03/14, personally served on 03/05/2014	2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> James Lopez (Paternal Grandfather) Maternal Grandfather (Unknown)
	Inventory		
	PTC	Paternal grandfather: James Lopez	
	Not.Cred.		
✓	Notice of Hrg	Maternal grandfather: Unknown Maternal grandmother: Katrina Mason, personally served on 03/05/2014	
	Aff.Mail		
	Aff.Pub.	Petitioner states that the father is in jail and the mother has abandoned the children, is on drugs and homeless.	
	Sp.Ntc.		
✓	Pers.Serv.	Objection filed by Katrina Mason, Maternal Grandmother, on 03/07/2014 states she believes that the children need to continue to see their mother so that they may continue to grow the bond they already have. Jacob Lopez, father of the minors is physically abusive to the mother and family members are mentally abusive. Ms. Mason feels that the mother's decision to separate from them and recover in Iowa with the full support of her family is a positive one and will help the mother and children transition well during recovery.	
✓	Conf. Screen		
✓	Letters	Please see additional page	
✓	Duties/Supp		
	Objections	Reviewed by: LV Reviewed on: 04/04/2014 Updates: Recommendation: File 16 – Lopez	
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		

Objection filed by Breanna Lamphere, Mother, on 03/07/2014 states she wants her children close to her during her extensive hospital stay so that she can continue to grow the bond with her children that they already have. She states that her mother, Katrina Mason, is filing for guardianship she fully supports that she can provide a loving, nurturing stable environment in which the mother and the children can continue their bond. Due to the domestic violence and the mental abuse from parents and family members Ms. Lamphere does not feel she will have a fair chance at staying away from the abuse. She states she is transferring to St. Luke's in Iowa where she will have the full support of her mother and family in her recovery.

Court Investigator Charlotte Bien's report filed 03/14/2014.

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 2		TEMPORARY EXPIRES 04/08/14		NEEDS/PROBLEMS/COMMENTS:	
		ADRIANA BREWER , non-relative, is Petitioner.		1. Need Notice of Hearing.	
		Father: NOT LISTED		2. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:	
Cont. from		Mother: EVONIESHA SMITH		<ul style="list-style-type: none"> Father (Not Listed) Evoniesha Smith (Mother) 	
	Aff.Sub.Wit.			3. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:	
✓	Verified	Paternal grandparents: NOT LISTED		<ul style="list-style-type: none"> Paternal Grandparents (Not Listed) Maternal Grandfather (Not Listed) Trina Smith (Maternal Grandmother) 	
	Inventory	Maternal grandfather: NOT LISTED			
	PTC	Maternal grandmother: TRINA SMITH			
	Not.Cred.				
	Notice of Hrg	x	Petitioner states that she is Kylie's godmother and has been caring for Kylie on and off most of her life. Petitioner states that she is the only mother Kylie knows as her real mother has been in and out of her short life. Petitioner states that guardianship is needed in order for her to be able to seek medical treatment and financial assistance to meet Kylie's needs. Also, Kylie's mother has recently stated she wanted to take Kylie again. Petitioner wants to continue to provide a safe and stable home for Kylie.		
	Aff.Mail	x			
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.	x			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
✓	Objections				
	Video Receipt		Opposition of Biological Mother Evoniesha Smith to Petition for Guardianship by Adriana Brewer and/or Any Other Person Over Minor Kylie Lynee Smith, filed on 04/04/2014 states she never received notice from any notice from any person of the court hearing set on 04/08/2014 in this matter, or any other court proceedings. Ms. Smith states she never received notice that Adriana Brewer, or any other person, was attempting to obtain guardianship over her daughter. Ms. Smith states that she discovered that there was a guardianship hearing for permanent guardianship by calling around to the courthouse and making inquiries after her suspicions were aroused by Adriana Brewer's behavior and statements.		
✓	CI Report				
✓	9202				
	Order				
	Aff. Posting			Reviewed by: LV	
	Status Rpt			Reviewed on: 04/07/2014	
✓	UCCJEA			Updates:	
	Citation			Recommendation:	
	FTB Notice		Please see additional page	File 17 – Smith	

Continued from previous page:

Ms. Smith opposes any and all attempts of Adriana Brewer and/or any other person to have temporary guardianship, permanent guardianship or any form of custody over her daughter. Ms. Smith states that she has known Adriana Brewer for a few years. Several months ago Ms. Smith was having a difficult time financially and was in a transitional period. During this time period Adriana Brewer began helping care for the minor child. Once Ms. Smith got back on her feet she requested Adriana Brew to return the child to her however she refused and told her that the legal system was involved. This led Ms. Smith to make inquiries and discovering that there was a 04/08/2014 hearing regarding permanent guardianship over the child. To date Ms. Smith has not had the opportunity to read or review any documents in the court file because she resides in Los Angeles County. Ms. Smith respectfully requests that this Honorable Court deny the request for guardianship and order Adriana Brewer to immediately return custody of the minor to the mother. This will allow the child to be with her mother, the person who has her best interest, and her three siblings.

Additionally, if this Honorable Court is inclined to grant permanent guardianship of her daughter to Adriana Brewer, or any other person, Ms. Smith respectfully requests that this court continue the matter so that she may respond appropriately.

Declaration filed by Evoniesha Smith, Mother, on 04/07/2014 states Ms. Brewer has been a good temporary provider for the minor child, looking at her Facebook page reflects the love and reflects the selfishness motives of wanting to take the child away from Ms. Smith, mother. Ms. Smith states she went through a moment of despair and needed support. She thanks her for that. Ever since January 27th Ms. Smith has wanted to gain natural custody of her child back so she can raise her child.

Declaration also includes several documents including Facebook page photos, Verification of Benefits for the child, Money Order for the care of the minor child to Adriana Brewer, Immunization Records for the child.

DSS Social Worker Tracy Miller's report filed 04/02/2014.

Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820,
1821, 2680-2682)

Age: 18	<u>NO TEMPORARY REQUESTED</u>		NEEDS/PROBLEMS/COMMENTS:
	SHARON KAYE SOVERN , maternal grandmother, is Petitioner and requests appointment as Conservator of the Person with medical consent powers.		Court investigator advised rights on 03/12/14.
	Voting rights affected.		Voting rights affected, need minute order.
Cont. from			1. Need Citation.
<input type="checkbox"/> Aff.Sub.Wit.			2. Need proof of personal service at least 15 days before the hearing of the Citation along with a copy of the Petition for Appointment of Conservator on the proposed conservatee.
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail	w/		
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.	x		
<input checked="" type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input checked="" type="checkbox"/> Video Receipt			
<input checked="" type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation	x		
<input checked="" type="checkbox"/> CVRC Notice			
			Reviewed by: JF
			Reviewed on: 04/07/14
			Updates:
			Recommendation:
			File 18 – Graff

Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820, 1821, 2680-2682)

		TEMP DENIED 3-17-14 (no appearance)	NEEDS/PROBLEMS/COMMENTS:
		JIMMY ASHLOCK , Friend ("Significant Other"), is Petitioner and requests appointment as Conservator of the Person without bond.	Court Investigator advised rights on 3-20-14
		Voting rights affected	Voting rights affected - Need minute order
<input type="checkbox"/>	Aff.Sub.Wit.		<ol style="list-style-type: none"> <u>Need Confidential Conservator Screening Form (GC-313).</u> (This form provides information about the Petitioner / proposed conservator.) <u>Need Citation.</u> <u>Need proof of personal service of the Citation with a copy of the petition at least 15 days prior to the hearing per Probate Code §1824 on Proposed Conservatee Billie Wright.</u> <u>Need Notice of Hearing.</u> <u>Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1822 on the following relatives listed at #11 of the petition:</u> <ul style="list-style-type: none"> - Gloria Smith (Mother) - Connie Cunningham (Sister) - Brian Wright (Son) - Matthew Wright (Son) - Jonathan Wright (Son) - Catherine Thurman (Granddaughter) - Brandon Wright (Grandson)
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	X	
	Conf. Screen	X	
✓	Letters		
✓	Duties/Supp		
	Objections		
✓	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		Reviewed by: skc
	Status Rpt		Reviewed on: 4-7-14
	UCCJEA		Updates:
	Citation	X	Recommendation:
	FTB Notice		File 19 – Wright

Petition for Appointment of Temporary Conservatorship of the Person and Estate

Age: 81		GENERAL HEARING 04/30/14		NEEDS/PROBLEMS/COMMENTS:	
		MARIA BEGONIA BROWNSON , daughter, is Petitioner and requests appointment as Temporary Conservator of the Person and Estate without bond.		If the Petition goes forward, the following notes will need to be addressed: <ol style="list-style-type: none"> The proposed conservatee has not been advised of her rights. Need proof of personal service on the proposed conservatee at least 5 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Temporary Conservator of the Person</i>. Petitioner requests appointment without bond, however, effective 1/1/2008, pursuant to CRC 7.207, except as otherwise provided by statute, every conservator or guardian of the estate appointed after 12/31/2007, must furnish a bond, including a reasonable amount for the cost of recovery to collect the bond under Probate Code 2320(c)(4)). Based on the information provided by Petitioner, bond should be set at \$28,600.00. 	
Cont. from		Estimated Value of the Estate: Personal property - \$ 8,000.00 Annual income - 18,000.00 Total - \$26,000.00			
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
✓	Notice of Hrg				
✓	Aff.Mail	w/			
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.	x			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
	UCCJEA				
	Citation				
	FTB Notice				
		Petitioner alleges that the proposed conservatee suffered a stroke about 10 years ago that resulted in diminished cognitive functioning. She is now suffering from dementia/alzheimer's and needs constant supervision and assistance. Last year, Petitioner moved the proposed conservatee from her home in San Jose to live with Petitioner in Sanger. Prior to living with Petitioner, the proposed conservatee was being cared for by one of her sons in her home in San Jose. Unfortunately, that son died from a heart attack leaving the proposed conservatee without a care-taker. Petitioner alleges that the girlfriend of the proposed conservatee's deceased son as well as an estranged son of the proposed conservatee have taken items of value from the proposed conservatees home in San Jose and are driving a vehicle that was purchased with the proposed conservatee's money for transporting the proposed conservatee. Petitioner seeks approval to rent out the proposed conservatee's home in San Jose and use the rental income for the conservatee's support. The proposed conservatee owns a residence and two parcels of land in San Jose.			
		Petitioner requests appointment without bond, stating that she cannot afford a bond. In the alternative, Petitioner requests authority to use the proposed conservatee's income to purchase the bond.			
		Court Investigator Julie Negrete filed a report on 04/02/14.			
				Reviewed by: JF	
				Reviewed on: 04/07/14	
				Updates:	
				Recommendation:	
				File 20 – Garcia	

			TEMP GRANTED EX PARTE EXPIRES 4-8-14	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> It appears that the mother also resides in the home with Petitioner. 1. Petitioner states she does now know anything about the father other than that he resides in Mexico. If diligence is not found, need notice to father per Probate Code §2250(e).
			GENERAL HEARING 6-2-14	
			ROSA ELENA NAVARRO , Maternal Grandmother, is Petitioner.	
	Aff.Sub.Wit.		Father: DANIEL ORTIZ	
✓	Verified		Mother: GUADALUPE NAVARRO	
	Inventory		- Personally served 3-31-14	
	PTC			
	Not.Cred.		Paternal Grandfather: Not listed	
✓	Notice of Hrg		Paternal Grandmother: Not listed	
	Aff.Mail			
	Aff.Pub.		Maternal Grandfather: Antonio Navarro	
	Sp.Ntc.			
✓	Pers.Serv.	W	Siblings: Luis Cuevas, Juan Diego Navarro	
✓	Conf. Screen		Petitioner states the mother is not able to care for Bianka. The mother was diagnosed "paranoia" on 1-29-14 and later schizophrenia. Petitioner states Bianka has been with her since 12-24-13 because the mother took her to different places with different boyfriends. The mother uses meth and drinks and leaves with random men. Exposing Bianka to that would not be a good thing. Petitioner states the mother does not do anything for her daughter; Petitioner cooks and gets her ready for school. Petitioner states the mother cuts her hair with knives and makes cuts on her body, gets naked and goes to the street, gets drunk and aggressive, fighting with random men and gangsters. Petitioner wants to make sure Bianka grows up health and happy and she is not safe with her mother. The mother leaves all day and night and only comes home when Bianca is in school.	
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			Reviewed by: skc
	Status Rpt			Reviewed on: 4-7-14
✓	UCCJEA			Updates:
	Citation			Recommendation:
	FTB Notice			File 21 – Ortiz